

Item No. 03

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 834/2018

(With report dated 22.10.2019)

Vedprakash

Applicant(s)

Versus

State of Haryana

Respondent(s)

Date of hearing: 24.10.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant (s): None

For Respondent(s): Mr. Rahul Khurana, Advocate for HSPCB with
Mr. Ranbir Singh, Scientist-B, HSPCB

ORDER

1. The issue for consideration is handling of the accumulated fly ash at the units of M/s NTPC Aravali Power Co. (P) Ltd. and M/s Jhajjar Power Ltd. (CLP India) in District Jhajjar. According to the complaint, huge amount of fly ash was generated and accumulated causing air pollution which resulted in diseases to the inhabitants. Complainant alleged that he was suffering from TB as per the report of the Civil Hospital, Jhajjar.
2. Vide order dated 18.12.2018, a report on factual aspect was sought from the Haryana State Pollution Control Board (HSPCB). Accordingly, report has been submitted vide email dated 27.06.2019

by Regional Officer, HSPCB, Bahadurgarh showing huge amount of fly ash accumulated at the unit of M/s Jhajjar Power Ltd. (CLP India), District Jhajjar. The report also mentions action plan for disposal of such fly ash.

3. The mater was again reviewed on 01.07.2019 as follows:

“3. Having regard to the potential of air pollution in hazard to public health on account of inadequate measures in handling and disposal of fly ash, we find it necessary to seek following reports:

- i. Report from M/s NTPC Aravali Power Co. (P) Ltd. and M/s Jhajjar Power Ltd. (CLP India) about the current status of the fly ash disposal and management and action plan along with timelines within one month from today. The report may be furnished through the HSPCB within one month by email at judicial-ngt@gov.in.*
- ii. Report from the Chief Medical Officer, Jhajjar District about the health impact study of the fly ash in the area in question within one month by email at judicial-ngt@gov.in.*
- iii. Report from the HSPCB on the status of air quality and stack monitoring in respect of M/s NTPC Aravali Power Co. (P) Ltd. and M/s Jhajjar Power Ltd. (CLP India) within one month by email at judicial-ngt@gov.in.”*

4. Accordingly, report has been filed showing that action plan has been prepared for fly ash disposal. It is stated that the problem of fly ash is in respect of M/s Indira Gandhi Super Thermal Power Project (IGSTPP), Jhajjar at Village-Jharli, Haryana and the action plan with regard to Pond-IIA and Pond-III is as follows:

“Pond-IIA has approx.10.5 LakhMT HCSD fly ash as on date and its evacuation is under progress with various agencies and expected to be completed by March, 2021.

Pond-III has approx. 28 Lakh MT mixed ash. As 03 Lakh MT ash is to be kept along inner periphery of dyke bund for preventing erosion of bund base, hence issuable ash is approx. 25 Lakh MT only. LOAs for evacuation of 10 Lakh MT have been awarded to different agencies. Balance 15 Lakh MT of pond-III ash evacuation is being

tied-up with NHAI for different road projects. Evacuation completion is expected by August, 2021.

Sl. No.	Pond	Qty (Lakh MT)	Expected Evacuation
1	Pond-I	18	<ul style="list-style-type: none"> • <i>In Service, hence evacuation will be started in financial year 2022-23, when the pond is isolated from the service.</i>
2	Pond-IIA	10.5	<ul style="list-style-type: none"> • <i>3 Lakh MT ash is required along inner periphery of dyke bund for preventing erosion of bund base.</i> • <i>The evacuation of remaining 7.5 Lakh MT is under progress by 28 Nos. agencies as per annexure.</i> • <i>Expected evacuation by March, 2021.</i>
3	Pond-III	28	<ul style="list-style-type: none"> • <i>3 Lakh MT ash is required along inner periphery of dyke bund for preventing erosion of bund base.</i> • <i>For the evacuation of remaining 25 Lakh MT</i> <ol style="list-style-type: none"> <i>a) Contracts for evacuating 10 Lakh MT have been awarded to 20 Nos. agencies as per annexure.</i> <i>b) Tie up for 15 Lakh MT ash evacuation by NHAI is under process for different NHAI road projects.</i> • <i>Evacuation completion is expected by August, 2021.</i>

5. We are of the view that having regard to potential hazard of air pollution and public health in storing the fly ash, the timeline needs to be preponed to 31.12.2020.

6. The HSPCB may accordingly ensure that the plant in question revises the plan in above terms. A performance guarantee in the sum of Rs. 50 lakhs may be taken from the unit for complying with the said plan.

The application is disposed of.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

October 24, 2019
Original Application No. 834/2018
DV

